

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DANIEL RIVERA,

Plaintiff,

v.

HOME DEPOT U.S.A., INC.,

Defendant.

Civil No.
16-cv-7552 (JGK)(OTW)

HOME DEPOT U.S.A., INC.,

Third-Party Plaintiff,

v.

BRYAN'S HOME IMPROVEMENT CORP.,

Third-Party Defendant.

**HOME DEPOT U.S.A., INC.'S NOTICE OF MOTION TO
(1) APPOINT HOME DEPOT AS RECEIVER OF BRYAN'S HOME IMPROVEMENT
CORPORATION'S CAUSES OF ACTION; OR (2) ORDER BRYAN'S TO ASSIGN
THOSE CAUSES OF ACTION TO HOME DEPOT**

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Home Depot U.S.A., Inc.'s Motion to (1) Appoint Home Depot as Receiver of Bryan's Home Improvement Corporation's Causes of Action; or (2) Order Bryan's to Assign Those Causes of Action to Home Depot dated February 13th, 2020, Defendant/Third-Party Plaintiff Home Depot U.S.A., Inc. ("Home Depot") will move this Court, before the Honorable Ona T. Wang, United States Magistrate Judge for the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, for an order appointing Home Depot as

receiver of Third-Party Defendant Bryan's Home Improvement Corp.'s ("Bryan's") causes of action, or an order compelling Bryan's to assign those causes of action to Home Depot.

This 13th day of February, 2020.

Respectfully submitted,

/s/ Ronan P. Doherty

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 13, 2020, a true and correct copy of the foregoing **NOTICE OF MOTION TO (1) APPOINT HOME DEPOT AS RECEIVER OF BRYAN'S HOME IMPROVEMENT CORPORATION'S CAUSES OF ACTION; OR (2) ORDER BRYAN'S TO ASSIGN THOSE CAUSES OF ACTION TO HOME DEPOT** was filed electronically with the Clerk of the District Court using its CM/ECF system, which electronically notifies the following CM/ECF participants:

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/s/ Ronan P. Doherty

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